

ORDINANCE NO. 09-11

AN ORDINANCE ANNEXING INTO THE CITY OF EPHRATA THE CATLOW ADDITION PROPERTY LOCATED ON THE WEST SIDE OF THE CITY WHICH CONSISTS OF APPROXIMATELY TWENTY-NINE ACRES, AND ZONING SAID PROPERTY AS RESIDENTIAL-1 UPON ANNEXATION

RECITALS:

1. The City of Ephrata received a Notice of Intention to Commence Annexation Proceeding on April 27, 2009, signed by Roger Miller, Jeffrey Marsh, Marie Marsh, Robert Heritage, Randy Boruff, W. Max Knauss, Donna Catlow Knauss and the City of Ephrata/Wes Crago, City Administrator.
2. The signatories of the Notice of Intention to Commence Annexation Proceeding constitute sufficient value to meet the sixty (60%) percent requirement of RCW 35A.14.120 of the assessed value of the property involved.
3. The proposed area for annexation contains approximately 29 acres and is described in the attached Exhibit "A" and depicted on the attached Exhibit "B".
4. The proposed area for annexation is within the City's Urban Growth Area and is consistent with the intent and purpose of the Growth Management Act, which reads in relevant part: "[i]n general, cities are the units of local government most appropriate to provide urban governmental services." RCW 36.70A.110(4).
5. Pursuant to RCW 35A.14.120, the Ephrata City Council met with the property owners/petitioners within sixty days of receipt of the Notice of Intention to Commence Annexation Proceeding, on April 1, 2009, to review the proposed annexation and found said proposed annexation to be a logical extension of the City corporate limits; and that said property should be annexed to the City; and that (1) said property should assume its pro rata share of the City's bonded indebtedness and be assessed and pay taxes at the same rate and on the same basis as other property within the City; and that (2) said property should be assigned the Residential-1 zoning classification as designated in the City's Comprehensive Plan.
6. Following the meeting with the owners/petitioners, the proponents of the annexation circulated the necessary petition which was certified as legally sufficient.
7. Following action by the City Council, a notice of intention was filed by the owners/petitioners with the Boundary Review Board on April 30, 2009, and the City

received a certification of sufficiency of the petition from the County Auditor on April 30, 2009 (attached as Exhibit "C").

8. The City Council held a public hearing at its regular meeting on June 3, 2009 to consider the annexation.
9. Ephrata City utilities, police, fire and other services are adequate and available to support the area upon annexation.
10. The Ephrata City Council finds that it is the best interest of the health, safety, morals and general welfare of the citizens of the City and the proposed area for annexation for the area to be annexed to the City.
11. The proposed annexation is subject to the review of the Grant County Boundary Review Board pursuant to Chapter 36.93 RCW. Over forty five days have elapsed since the filing of the application for review.
12. The Grant County Boundary Review Board, certified expiration of the 45 day review period correspondence of August 13, 2009, declined to invoke jurisdiction with regard to the proposed annexation (letter attached as Exhibit "D").
13. Pursuant to RCW 36.93.100 and Grant County Boundary Review Board local rule D(3), the proposed annexation shall be deemed approved.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EPHRATA,
WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. That the real property described in Exhibit "A" attached hereto is hereby annexed into the City of Ephrata; and that the corporate limits of the City of Ephrata shall include the property and territory hereinbefore fully described. Said property shall be assessed and taxed at the same rate and on the same basis as the property of the City of Ephrata is assessed and taxed to pay for the now outstanding indebtedness of the City of Ephrata contracted prior to or existing at the time of annexation.

Section 2. That the zoning of the property upon the effective date of this annexation shall be Residential-1. All such zoning and classification will be subject to the provisions of Title 19 of the Ephrata Municipal Code as enacted or hereafter amended.

Section 3. The City Clerk is hereby directed to provide notice of this annexation to the appropriate entities as provided by law.

Section 4. This ordinance shall be in full force and effect five days after passage of its summary and publication as provided by law.

PASSED by the City Council of the City of Ephrata, Washington, this 2nd day of September, 2009.

s/ Chris Jacobson
Mayor

ATTEST:

s/ Leslie Trachsler
City Clerk

APPROVED AS TO FORM:

s/ Katherine L Kenison
City Attorney

PASSED the 2nd day of September, 2009.

APPROVED the 2nd day of September, 2009.

PUBLISHED the 3rd day of September, 2009.